IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8174 of 2005

Between:

A. Pullanna S/o. Annapurnayya, Hindu
R/o. D.No. 26/245, Momin Street, Old Town, Ananthapur,
Ananthapur District.

..... PETITIONER

AND

1 The Vice-Chairman and Managing Director,

A.P.S.R.T.C., Musheerabad, Hyderabad.
2 The Deport Manager,

APSRTC, Gooty Depot, Gooty,

Anantapur District.
3 The Regional Manager,

APSRTC, Anantapur Region, Ananthapur.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus of any other appropriate Writ, declaring the action of the respondents in not considering the petitioner's request for re-medical examination to test his suitability to continue in the post of Driver as illegal, arbitrary, in violation of Art. 14 and 21 of the Constitution of India and contrary to the regulations of the corporation and consequentially direct the respondents to send the petitioner for re-medical examination to test his suitability for the post of Driver and pass such other or further order.

Counsel for the Petitioner: Mr. S.SURENDRA KUMAR

Counsel for the Respondents: Mr. P.VINAYAKA SWAMY (SC FOR APSRTC)

The Court at the admission stage made the following :

ORDER:

This Writ Petition is filed seeking to declare the action of the respondents, in not considering the request of the petitioner for re-medical examination to test his suitability to continue in the post of a Driver, as illegal, arbitrary, and in violation of Articles 14 and 21 of the Constitution of India and contrary to the regulations of the corporation and consequentially to direct the respondents to send the petitioner for re-medical examination.

2. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

3. The petitioner made a representation dated 01-02-2005 for his re-medical examination so as to continue as a driver. Before announcement of the Voluntary Retirement Scheme he applied for the same and he was declared unfit medically as a driver on 15-11-2004. It is for the respondent to take appropriate decision in that regard.

4. Without going into the merits of the case, the Writ Petition is disposed of directing the respondents to take appropriate decision and pass necessary orders on the representation of the petitioner dated 01-02-2005 within a period of two months from the date of receipt of a copy of this order.

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(K.C.BHANU,J)

13th April, 2005.

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To

1 The Vice-Chairman and Managing Director,

A.P.S.R.T.C., Musheerabad, Hyderabad.

2 The Deport Manager,

APSRTC, Gooty Depot, Gooty,

Anantapur District.

3 The Regional Manager,

APSRTC, Anantapur Region,

Ananthapur.

4 Two CD copies